

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

KATHLEEN ARNETT,

Plaintiff,

v.

FOUR B CORP.,

Defendant.

Case No. 4:20-cv-520

NOTICE OF REMOVAL

COMES NOW the defendant, Four B Corp., and pursuant to 28 U.S.C. §§ 1441 and 1446, hereby remove the above-captioned and numbered cause to the United States District Court for the Western District of Missouri. In support of said removal, Defendants state:

1. The First Amended Petition filed by plaintiff against defendant, Four B Corp., in the Circuit Court of Jackson County, Missouri, is attached as Exhibit “A” hereto.
2. On behalf of the Defendant, the undersigned defense counsel agreed to accept service of Plaintiff’s lawsuit by email. The undersigned counsel entered his appearance on behalf of defendants on June 26, 2020, which constitutes acknowledgment of service of process. See Exhibit “B” attached hereto. The instant Notice of Removal is therefore timely filed. In addition, the undersigned counsel Answered Plaintiff’s First Amended Petition on behalf of defendants on June 26, 2020. See Exhibit “C” attached hereto.
3. As stated in her First Amended Petition, plaintiff Arnett is an individual residing in Kansas City, Jackson County, Missouri. Plaintiff’s First Amended Petition, Ex. “B”, at ¶ 1. Defendant Four B Corp. is a Kansas corporation and is therefore considered a citizen of that state under 28 U.S.C. § 1332(a).

4. In addition to diversity of the parties, the \$75,000 jurisdictional threshold set forth in 28 U.S.C. § 1332(a) appears to be met. Although Plaintiff's First Amended Petition does not set forth a specific damage prayer, Plaintiff alleges that as a result of the subject incident she incurred "injuries, disabilities and infirmities and damages are permanent, painful and progressive". (First Amended Petition, Exhibit "A").

5. This Court has jurisdiction over the matter pursuant to 28 U.S.C. § 1332(a), Diversity of Citizenship, and pursuant to 28 U.S.C. § 1446 because removal has been timely made.

WHEREFORE defendant Four B Corp. hereby removes this matter to the United States District Court for the Western District of Missouri.

Respectfully submitted,

LUDER & WEIST, LLC

By: /s/ Robert J. Luder

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**ATTORNEYS FOR DEFENDANT
FOUR B CORP.**

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of June, 2020, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and sent notification of such filing to the following:

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